

UNITED STATES DISTRICT COURT
Northern District of California

SCOTT RIEGER

No. C 11-4202 MEJ

Plaintiff,

ORDER VACATING CMC

v.

AMERICAN EXPRESS COMPANY,

Defendant.

The Court is in receipt of Defendant American Express Company's Case Management Statement, filed on November 30, 2011. Dkt. No. 19. As Defendant intends to file a motion to dismiss based upon Plaintiff Scott Rieger's First Amended Complaint, the Court finds a c.m.c. premature at this time and hereby VACATES the December 8, 2011 Case Management Conference. Defendant shall file its motion to dismiss by December 22, 2011. All briefing from both parties shall be in compliance with Civil Local Rule 7. After resolution of Defendant's motion, the Court shall reschedule the c.m.c., if the case remains pending.

Plaintiff is hereby advised that failure to communicate with Defendant's counsel as necessary for this case may result in the imposition of sanctions, including and up to dismissal of his case.

IT IS SO ORDERED.

Dated: December 2, 2011



Maria-Elena James
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SCOTT RIEGER

Case Number: 11-04202 MEJ

Plaintiff,

CERTIFICATE OF SERVICE

v.

AMERICAN EXPRESS

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 2, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Scott Rieger
2697 Parkside Drive
Fremont, CA 94536

Dated: December 2, 2011

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk